

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RYAN COPLEY, PAT MCGEENEY, JOE
TILLEY, on behalf of themselves and
others similarly situated,

Plaintiffs,

v.

EVOLUTION WELL SERVICES
OPERATING LLC,

Defendant.

Case No. 2:20-CV-01442-CCW

Judge Christy Criswell Wiegand

**PLAINTIFFS' MOTION FOR PRELIMINARY
APPROVAL OF CLASS AND COLLECTIVE ACTION SETTLEMENT**

Plaintiffs Ryan Copley, Pat McGeeney, and Joe Tilley, as well as Precertification Opt-In Plaintiff Brian Hanes (“Plaintiffs”), and members of the conditionally certified collective and putative Ohio and Pennsylvania state wage and hour law classes, by their counsel Lynch Carpenter LLP, respectfully move this Court for an order: (1) granting preliminary approval of the proposed settlement agreement (“Settlement Agreement,” attached as **Exhibit 1**) of the above-captioned action pending in this Court; (2) certify, for settlement purposes only and pursuant to the terms of the Settlement Agreement,¹ the PA Class and the OH Class pursuant to Fed. R. Civ. P. 23(b)(3), and final certification of the FLSA Collective pursuant to 29 U.S.C. § 216(b); (3) appoint Plaintiffs as class representatives; (4) appoint Plaintiffs’ Counsel, Edwin J. Kilpela, Jr. and Elizabeth Pollock-Avery of Lynch Carpenter LLP, as Class Counsel pursuant to Fed. R. Civ. P. 23;

¹ Capitalized terms not otherwise defined in this Order shall have the same meaning as ascribed to them in the Settlement Agreement.

(5) approve the form and manner of Notice to be provided to the Settlement Class (attached as **Exhibit 2**); (6) set a deadline to opt-out/object of sixty (60) days after dissemination of Class Notice; and (7) set a date for a Final Approval Hearing no sooner than one hundred twenty (120) days after entry of a Preliminary Approval Order. In support of this Motion, Plaintiffs submit the accompanying Memorandum of Law and the Declaration of Elizabeth Pollock-Avery (attached as **Exhibit 3**).

Dated: January 5, 2023

Respectfully Submitted,

/s/ Elizabeth Pollock-Avery

Edwin J. Kilpela, Jr.

Elizabeth Pollock-Avery

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